

## OPINION 1162

*SCHIZONEURA MEUNIERI* HEIE, 1969 (INSECTA: HEMIPTERA): CONSERVED UNDER THE PLENARY POWERS

RULING.- (1) Under the plenary powers the specific name *patchi* Meunier, 1917, as published in the binomen *Schizoneura patchi*, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The specific name *meunieri* Heie, 1969, as published in the binomen *Schizoneura meunieri*, as conserved through the ruling given under the plenary powers in (1) above, is hereby placed on the Official List of Specific Names in Zoology with the Name Number 2720.

(3) The specific name *patchi* Meunier, 1917, as published in the binomen *Schizoneura patchi*, and as suppressed under the plenary powers in (1) above, is hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Number 1071.

## HISTORY OF THE CASE Z.N.(S.)1859

An application to resolve the confusion caused by the co-existence of the two binomina, *Schizoneura patchiae* Börner & Blunck, 1916, and *S. patchi* Meunier, 1917, was first received from Dr Ole E. Heie (*Skive Seminarium, Skive, Denmark*) on 28 August 1968. After some correspondence an agreed version was sent to the printer on 22 November 1968 and published on 28 February 1969 in *Bull. zool. Nom.* vol. 25, pp. 222-223. Public notice of the possible use of the plenary powers in the case was given in the same part of the *Bulletin* as well as to the statutory serials and to seven entomological serials.

Dr C.W. Sabrosky presented a different version of the case and proposed that *S. patchi* Meunier, 1917 be suppressed so as to conserve *S. meunieri* Heie, 1969, the replacement name proposed for it. His comment was published on 7 April 1970 in *Bull. zool. Nom.* vol. 26, p. 183. In it he proposed the solution adopted by the Commission in the present Opinion. He also proposed an amendment to Article 58 of the Code, and this is at present under consideration for the Third Edition of the Code. Dr Heie accepted the correctness of Dr Sabrosky's presentation and asked that the Commission vote on those proposals.

## DECISION OF THE COMMISSION

On 14 December 1979 the members of the Commission were

invited to vote under the Three-Month Rule on Voting Paper (79)20 for or against the proposals set out in *Bull. zool. Nom.* vol. 26, p. 183. At the close of the voting period on 14 March 1980, the state of the voting was as follows:

Affirmative Votes – nineteen (19) received in the following order: Melville, Willink, Vokes, Corliss, Tortonese, Alvarado, Brinck, Hahn, Habe, Welch, Trjapitzin, Starobogatov, Sabrosky, Kraus, Ride (in part), Halvorsen, Binder, Nye, Cogger

Negative Votes – four (4): Holthuis, Bayer, Mroczkowski, Heppell

Dupuis abstained from voting. No voting paper was returned by Bernardi.

The following comments were returned by members of the Commission with their voting papers:

*Holthuis*: 'As the name *Schizoneura patchi* has only been used in the original publication, the type of the species is lost, and its identity uncertain, I do not see that anything is gained by suppressing the name. It can hardly cause any confusion, the more so as it is junior to *S. patchiae* Börner & Blunck.'

*Mroczkowski*: 'Both the original names (*patchiae* and *patchi*) are nomenclaturally distinct and valid. We must strictly observe the rules of the Code. If we allow the present application to create a precedent, thousands of similar applications will come to the Commission. In the same group of insects (aphids), in the tribe PHYLLAPHIDINI, there are two generic names *Calaphis* Walsh, 1863 and *Callaphis* Walker, 1870. The coexistence of two such similar generic names in the same tribe is also unfortunate, but no application has hitherto reached the Commission [such an application has indeed reached the Secretariat, but it is not yet fully prepared for publication. R.V.M.]. I have discussed this problem with Professor Szelegiewicz, our aphid specialist, and he supports my opinion.'

*Heppell*: 'As nearly 10 years have elapsed since the original proposals, as modified by Sabrosky, were published, it seems unfortunate that this case is now brought to the vote when provisions affecting the status of the name *Schizoneura patchi* are not only included in the Draft Third Edition of the Code but were accepted in a preliminary vote by those members of the Commission meeting at Lund and Helsinki in 1979. Under draft Article 31, *S. patchi* Meunier, 1917, would be an incorrect original spelling of, and under draft Article 58 a junior primary homonym of, *S. patchiae* Börner & Blunck, 1916. The invalidity of *S. patchi* would follow and would not require suppression under the plenary powers. If this were my only objection I would not oppose the application but merely regret a decision being made while a significant provision

affecting the case is *sub judice*. What I cannot support, however, is the proposal to validate *meunieri* for a taxon admitted to be unrecognised since its original description and for which the whereabouts of the type are unknown. It is bad enough for Heie to have published a replacement name in the first place, but for the Commission to contemplate adding it to the Official List is manifestly fatuous.'

*Ride*: '*S. patchi* Meunier is known only from the type specimen which has now disappeared. It has been mentioned only in the type description and the current application. Validating the name *S. meunieri* is unnecessary and may even create a taxonomic encumbrance. If Heie considers that the species is a good one he would do better to redescribe it with fresh material and thereby avoid having to go through the procedures required by Article 75. I do not support Sabrosky's proposal (b), validation of *S. meunieri*.'

*Dupuis*: 'Abstention (je n'ai pas les *Bulletins* 25 et 26) parce que je trouve singulier que ce cas ait attendu si longtemps.'

#### ORIGINAL REFERENCES

The following are the original references to names placed on an Official List and an Official Index by the ruling given in the present Opinion:

*meunieri*, *Schizoneura*, Heie, 1969, *Bull. zool. Nom.* vol. 25, p. 222

*patchi*, *Schizoneura*, Meunier, 1917, *Verh. k. Akad. Wet. Amsterdam*, vol. 20, p. 7.

#### CERTIFICATE

I hereby certify that the votes cast on V.P.(79)20 were cast as set out above, that the proposal contained in that voting paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission on Zoological Nomenclature, is truly recorded in the present Opinion No. 1162.

R.V. MELVILLE

*Secretary*

*International Commission on Zoological Nomenclature*

*London*

*18 April 1980*